



PATENT

Case Docket No. REALNET.115A

Date: June 21, 2005

Page 1

In re application of : Jeremy Chaney
Appl. No. : 09/577,257
Filed : May 22, 2000
For : SYSTEM AND METHOD
OF PROVIDING FOR
THE CONTROL OF A
MUSIC PLAYER TO A
DEVICE DRIVER

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June 21, 2005

(Date)

James F. Herkenhoff/Reg. No. 51,241

Examiner : Brian J. Detwiler
Art Unit : 2173

Mail Stop Appeal Brief - Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith in triplicate is an Appellants' Brief to the Board of Patent Appeals:

- (X) Appellants hereby request an oral hearing. The fee of \$1,000 as set forth in 37 C.F.R. 41.20(b)(3) is enclosed.
- (X) Enclosed is the fee of \$500 for filing the brief as set forth in 37 C.F.R. 41.20(b)(2).
- (X) A check in the amount of \$1,500 to cover the foregoing fees is enclosed.
- (X) If applicant has not requested a sufficient extension of time and/or has not paid any other fee in a sufficient amount to prevent the abandonment of this application, please consider this as a Request for an Extension for the required time period and/or authorization to charge our Deposit Account No. 11-1410 for any fee which may be due. Please credit any overpayment to Deposit Account No. 11-1410.

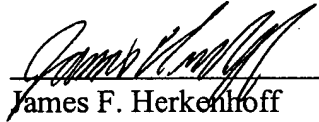
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REALNET.115A



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appellant : Jeremy Chaney
Appl. No. : 09/577,257
Filed : May 22, 2000
For : SYSTEM AND METHOD OF
PROVIDING FOR THE
CONTROL OF A MUSIC
PLAYER TO A DEVICE DRIVER
Examiner : Brian J. Detwiler
Group Art Unit : 2173

CERTIFICATE OF MAILING

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(Date)

James F. Herkenhoff, Reg. No. 51,241

APPELLANT'S BRIEF

Board of Patent Appeals and Interferences
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Appellant in the above-captioned patent application is appealing the final rejection of all pending claims in a final Office Action dated November 22, 2004. Pursuant to 37 C.F.R. § 43.31(a)(1), the Examiner's decision in the patent application is therefore in condition for appeal to the Board of Patent Appeals and Interferences.

If for some reason Appellant has not paid sufficient fee for filing this appeal brief or any other necessary fee, please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

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III. REAL PARTY IN INTEREST

The real party in interest is RealNetworks, Inc., which is the assignee of the patent application.

IV. RELATED APPEALS AND INTERFERENCES

None of the Appellant, Appellant's legal representative, or assignee is aware of any appeal or interference which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

V. STATUS OF CLAIMS

Claims 1, 3-6, 8-11, 13-17, 21-32, 35-42, and 45-49 are finally rejected. Claims 2, 7, 12, 18-20, 33, 34, 43, and 44 are cancelled.

VI. STATUS OF AMENDMENTS

Appellant did not file any amendments subsequent to the final rejection of the claims.

VII. SUMMARY OF CLAIMED SUBJECT MATTER

Appellant sets for the below an explanation of the claimed subject matter.

1. Independent Claims 1, 6, 11, 35, and 39

With respect to independent Claims 1, 6, 11, 35, and 39, one embodiment of Appellant's invention is generally directed to a device driver interface that may be used to provide control and access of a music player's graphical user interfaces to a device driver. Using the interface, a device driver can seamlessly integrate any new control, notification, windows into the music player that, depending on the features of the music renderer, may be required.¹ The music renderer can include, for example, a portable MP3, music or video player or a device for burning optical diskettes.

To provide support for new features that are developed with respect to such music renderers, the device driver interface allows a provider of the device driver for the music renderer to define and display new controls, control objects such as a button, in the music player.

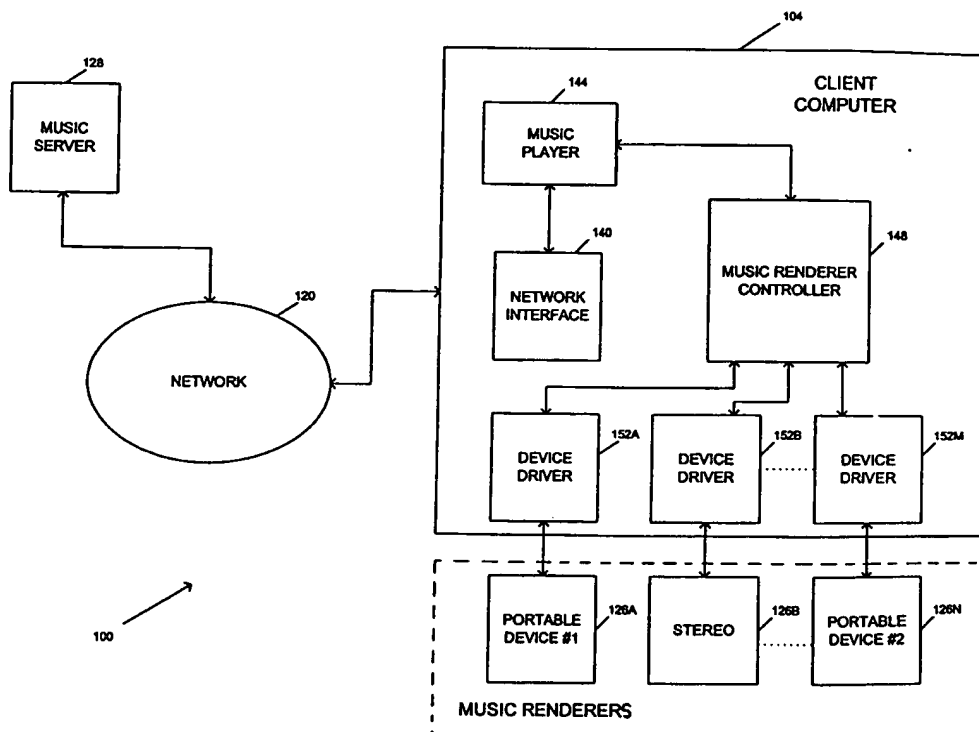


FIG. 1

As is shown in Figure 1 of the application, a music player 144 communicates with a plurality of device drivers 152A-152M via a music renderer controller 148.² In one embodiment, the music player 144 and the music renderer controller 148 are software routines that are integrated into a single executable module.³

The music renderer controller 148 includes a device integration application program interface (DIAPI) that provides a predefined interface for communicating with the device drivers 152A-152M.⁴ Using the DIAPI, programmers can develop new device drivers 152A-152M for integration within the client computer 104.⁵ One of the interfaces in the DIAPI, includes an identify window interface 302.⁶ Using the identify window interface 302 in the DIAPI, a device driver can provide a music player with a pointer to a window object.⁷ The music player 144 may invoke the window object to perform various functions on a graphical interface, such as requesting the music player 144 to resize the graphical interface, hide the graphical interface, or display the graphical interface.

For example, one such advantage of this system is that it may allow the graphical objects of a music player to be customized without requiring the music player to be rebuilt or re-compiled to support such customization. This allows legacy music players to work with new portable devices.

2. Independent Claims 16 and 17

The DIAPA, as discussed above with respect to Claim 1, also includes an interface that can be invoked by a device driver to rename the displayed name of a control object of a music player. For example, a device driver can customize the name of a play, stop, resume, fastforward, or other element of the display.

The specification states:

¹ See Application, p. 8, lines 22-25.

² See Application, p. 5, lines 25-26.

³ See Application, p. 7, lines 1-13.

⁴ See Application, p. 5, lines 26-28.

⁵ See Application, p. 5, lines 28-30 and p. 8, lines 5-10.

⁶ See Application, p. 5, lines 28-30 and p. 8, lines 11-13.

⁷ See Application, p. 8, lines 18-20.

A device driver may invoke the customize interface name interface 312 to customize any button, control, or textual element that is displayed by the music generator. For example, a button "begin transfer" does not describe the process of burning a CD. Thus, the device driver for the CD burner can rename the button to something more descriptive such as "begin CD burn."⁸

Thus, the specification describes an exemplary process of: "naming using the music player a control object; and receiving a request from a device driver for the music renderer to change a name for the control object", as is recited in independent Claim 16 and "the music player adapted to receive requests from a device driver related to the music renderer to rename the control objects that have been named by the music player," as is recited in independent Claim 17.

For example, one such advantage of this system is that it may allow the graphical objects of a music player to be customized without requiring the music player to be rebuilt or re-compiled to support such customization. This allows legacy music players to easily work with new types of portable devices.

1. Independent Claim 39

With respect to independent Claim 39, one embodiment of Appellant's invention is generally directed to a device driver interface that may be used to provide control of a graphical interface with a device driver of a portable music player. Claim 39 recites: "executing a music player that is executing in a computer and that displays a graphical interface comprising information about music items; displaying, in response to a user request for transferring a music item from the computer to a portable music player device, a graphical interface for managing the content of the portable music player device; and assigning an object in the graphical interface with a device driver of the portable music player device." Thus, as is recited, a device driver can be assigned control of an object that is in the graphical interface of a music player.

The specification states:

A device driver may invoke the customize interface name interface 312 to customize any button, control, or textual element that is displayed by the music generator. For example, a button "begin transfer" does not describe the process of

⁸ See Application, p. 21-29

burning a CD. Thus, the device driver for the CD burner can rename the button to something more descriptive such as "begin CD burn."⁹

Thus, for example, a device driver can assume control of an object of the music player to rename the object or otherwise customize it. For example, one such advantage of this system is that it may allow the graphical objects of a music player to be customized without requiring the music player to be rebuilt or re-compiled to support such customization. This allows legacy music players to easily work with new types of portable devices.

VIII. GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL

The grounds of rejection to be reviewed on appeal are:

- (1) The rejection of Claims 1, 3, 4, 6, 8, 9, 11, 13, 14, 16, 17, 21-32, 35-38, and 46-49 under 35 U.S.C. § 102(e) as being unpatentable over U.S. Patent No. 6,356,971, to Katz, et al. in view of U.S. Patent No. 6,148,346, to Hanson; and
- (2) The rejection of Claims 5, 10, 15, 39-42, and 45 are under 35 U.S.C. § 103(a) as being unpatentable over Katz, Hanson, and U.S. Patent No. 6,377,530, to Burrows.

IX. ARGUMENT

A. Claims 1, 3, 4, 6, 8, 9, 11, 13, 14, 16, 17, 21-32, 35-38, and 46-49 Are Not Obvious in View of Katz and Hanson

1. Claims 1, 3, 4, 6, 8, 9, 11, 13, 14, 16, 17, 21-32, 35-38, and 46-49

Claim 1 recites: "executing a music player that displays a graphical user interface comprising information about music items and that provides a device driver interface; executing a device driver, related to a music renderer, that indicates a change to the display of the music player's graphical user interface; and providing via the device driver interface a control object for managing music items; and displaying the control object in response to an event occurring during the execution or startup of the music player." Independent Claims 6, 11, 35, and 46 include similar types of limitations regarding the customization of a graphical user interface by a device driver via a device driver interface.

⁹ See Application, p. 21-29

To establish a *prima facie* case of obviousness a three-prong test must be met. First, there must be some suggestion or motivation, either in the references or in the knowledge generally available among those of ordinary skill in the art, to modify the reference. Second, there must be a reasonable expectation of success found in the prior art. Third, the prior art reference must teach or suggest all the claim limitations.¹⁰ Appellant respectfully submits that the cited references fail to teach or suggest all of the limitations of the above-listed claims. Furthermore, Appellant respectfully submits there is no motivation to combine the references as was suggested by the Examiner.

Katz is generally directed to a system for managing a multimedia tracks on a computer and for controlling a disk changer that is connected to the computer. In Katz, a computer program (200) executes on a computer system (100). The computer program (200) includes an application program (210), a graphical user interface (210) a Component Object Model (COM) interface 260, a changer service 270, an IOCTL interface 280, and a device driver (290).¹¹ In Katz, the device driver performs control of movement of the robotics in a disc changer device 120.¹² Furthermore, the device driver (290) supports carousel-type disc changer devices that allow the user to insert several CDs at once and report changes to the application program (210).

In the Office Action, the Examiner acknowledged that "Katz's graphical interface comprises numerous control objects, but Katz fails to disclose that any of the control objects are customized and provided by a device driver related to the music renderer." In the Office Action, the Examiner took the position that Hanson discloses a device driver for a peripheral device that is capable of delivering customized control objects.

Although Hanson describes the usage of a GUI by a device driver, Hanson fails to teach or suggest providing a *device driver interface* as is claimed. Hanson describes a system for providing a printer device driver that may be compatible with different operating systems. The device driver has an operating specific device driver portion 32 and an operating system independent device driver portion 34. Hanson describes a number of menus that may be used by an individual to configure a printer using the device driver.¹³ For example, Figure 3 illustrates a

¹⁰ *In re Vaeck*, 947 F.2d 488 (Fed. Cir. 1991)

¹¹ See col. 5, lines 33-37

¹² See Katz, col. 4, 54-56.

¹³ See Figures 3-8.

menu that allows a user to interact with a preconnected printer.¹⁴ Figure 4 illustrates a menu that is used to provide printer status.¹⁵ Figure 5 of Hanson illustrates a menu that is used to show available printers.¹⁶ An operating system independent device driver portion 34 includes graphical user interface (GUI) objects 52.¹⁷ The GUI objects provide the user a way to view and manipulate the peripheral specific data objects 54.

Hanson describes that in one embodiment the GUI objects 52 can be included in the application software.¹⁸ For convenience of reference, the passage is reproduced below.

Another embodiment, not shown, incorporates the GUI objects 52 into the menus of the application software 32 running on the operating system. For example, a printer options window of the common command windows for Word 6.0 of a printer connected to the host computer system through a standard device driver and a printer connected to the host through the dynamic device driver 42 would be visually the same and may include similar printer options

Appellant respectfully submits that this passage suggests that an application can be built, such as at time of compilation, to physically include the objects that are used to control printer function. The foregoing passage does not teach or suggest providing a well-defined device driver interface in an application, wherein the interface allows device drivers to provide graphical control objects to the application. In the embodiment described above, Hanson describes that the menus that are controlled by the Hanson system could be redesigned such that the menus could be put under control of an application instead of the device driver. Hanson fails to teach or suggest that control objects can be transmitted via a device driver interface from a device driver to an application.

Thus, Appellant respectfully submits that Hanson fails to teach or suggest that an application provide a *device driver interface* for controlling its graphical user interfaces. In one embodiment of the invention, the *device driver interface* is provided so as to allow various types of device drivers to "plug-in" and become operational with respect to a music player. Using the device driver interface, a device driver can configure the controls of a graphical user interface

¹⁴ See col. 5, lines 23-25.

¹⁵ See col. 5, lines 33-37

¹⁶ See col. 5, lines 37-39

¹⁷ See col. 4, lines 46-39.

¹⁸ See col. 5, lines 14-22.

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that is provided by the music player. As is claimed with respect to Claim 1, a “control object” is “provided via the device driver interface.” With respect to Claim 6, the “control object is provided by the device driver via the application programming interface.” With respect to Claim 11, “the music player provides a device driver interface that enables device drivers to control the graphical user interfaces of the music player . . . and wherein the customized control object is provided by a device driver.” Claim 46 recites: “providing a device driver interface that allows device drivers to modify the graphical user interfaces of the music player.” With respect to Claims 1, 6, 11, and 35, the control object is “for managing music items.”

In Hanson, it appears that the only graphical user interfaces that are displayed by the device driver are its own, i.e., it does not transmit control object from the device driver to another application or vice-versa. In the embodiment described in the passage above, the graphical objects are provided by the application itself—they are not received from the device driver. Disadvantageously this does not provide for seamless integration of the controls of the device driver with an application. In Hanson, there is no suggestion that the device driver can communicate with an application via an application programming interface so as to provide or modify the controls for a graphical user interface in an application. Thus, Appellant respectfully submits that Hanson fails to teach or suggest at least these limitations.

Moreover, Appellant respectfully submits that there is insufficient motivation to combine Katz and Hanson to support a prima facie showing of obviousness. In the Office Action, the Examiner stated the following:

Based on these teachings, it should be clear that Hanson discloses a superior method of using peripheral device drivers to provide customized graphical objects to corresponding applications. Furthermore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use Hanson’s teachings in combination with the music player disclosed by Katz. There are numerous types of music renderers that Katz’s music player software may not have been designed to accommodate. Hanson’s dynamic device driver advantageously provides the user a way to manipulate peripheral specific data objects as suggested in column 4: lines 55-57, and would thus allow Kat’s music player to be compatible with an unlimited number of devices in the vast market of music renderers.

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The fact that references can be modified is not sufficient to establish prima facie obviousness.¹⁹ Furthermore, the fact that the claimed invention is within the capability of one of ordinary skill in the art is not sufficient by itself to establish prima facie obviousness.²⁰ In this case, the Examiner has merely made conclusory findings regarding the motivation to modify the Katz system. In the Office Action, the Examiner posits that if Katz incorporated the teachings of Hanson then it would be able to support additional devices. Appellant respectfully submits that Hanson does not teach a method of allowing an application to work with a variety of different types of device drivers. In contrast, the primary teaching of Hanson is directed to providing a device driver that is compatible with a variety of types of operating systems.²¹ There is no teaching in Hanson that would suggest one of ordinary skill in the art to modify Katz as was suggested by the Examiner to derive the claimed invention, i.e., allow a device driver to provide graphical control objects that are used manage music items to an application. None of the cited references teach allowing a device driver to transmit a control object from a device driver to an application program, wherein the control object is used to manage music items.

Since the cited prior art fails to teach or suggest in isolation or in combination at least one limitation from each of the above-listed claims, Applicant respectfully submits that the above-claims are in condition for allowance.

Since Claims 3, 4, 6, 8, 9, 13, 14, 16, 17, 21-32, 36-38 and 47-49, each depend on one of Claims 1, 6, 11, 35, and 46, Appellant respectfully submits that these claims are allowable for at least the reasons discussed above.

Claims 16 and 17

With respect to independent Claims 16 and 17, Appellant respectfully submits that the cited references fail to teach or suggest renaming a control object as is claimed. In particular, Independent Claim 16 recites: "receiving a request from a device driver for the music renderer to change a name for the control object." Claim 16 further recites the control object is "operative to be used by a user to control the operation of a music renderer that is configured to play the music items." Independent Claim 17 recites: "the music player adapted to receive requests from a

¹⁹ *Id.*

²⁰ *Id.*

device driver related to the music renderer to rename the control objects that have been named by the music player.”

In the Office Action, the Examiner stated that Hanson suggests that device drivers can “incorporate GUI objects into the menus of certain application software. Since a menu is a type of control object, Hanson’s invention effectively uses a device driver to rename control objects within an application.”

Appellant respectfully submits that to the extent that the menus of Hanson are considered control object, Hanson fails to allow a device driver to rename it. Claim 16 requires that the music player initially name the control object. Claim 16 recites: “naming using the music player a control object.” The examiner has failed to particularly identify how the control objects of Hanson would initially be named by the application. Claim 16 further recites “receiving a request from a device driver for the music renderer to change a name for the control object.” The section cited by the Examiner described that the menus of the device driver may be integrated into an application. The Examiner has failed to identify how these menus would be “renamed” by a device driver as opposed to merely placed under the control of the application.

Since Katz and Hanson fail to teach or suggest at least the above-limitations in isolation or in combination, Appellant respectfully submits that independent Claims 1, 6, 11, 16 and 17 are in condition for allowance.

B. Claims 4, 5, 10, 15, 39-42, and 45 Are Not Obvious in View of Katz, Hanson, and Burrows

Claim 39

Claim 39 recites: “A method of providing a customized graphical interface, the method comprising: executing a music player that is executing in a computer and that displays a graphical interface comprising information about music items; displaying, in response to a user request for transferring a music item from the computer to a portable music player device, a graphical interface for managing the content of the portable music player device; and assigning an object in the graphical interface with a device driver of the portable music player device.”

²¹ See col. 1, lines 28-54

To establish a *prima facie* case of obviousness a three-prong test must be met. First, there must be some suggestion or motivation, either in the references or in the knowledge generally available among those of ordinary skill in the art, to modify the reference. Second, there must be a reasonable expectation of success found in the prior art. Third, the prior art reference must teach or suggest all the claim limitations.²² Appellant respectfully submits that the cited references fail to teach or suggest all of the limitations of the above-listed claims. Furthermore, Appellant respectfully submits there is no motivation to combine the references as was suggested by the Examiner.

Appellant respectfully submits that the cited prior art fails to teach or suggest “assigning an object in the graphical interface with a device driver of the portable music player device.” Katz is generally directed to a software application for displaying music. Katz wholly fails to teach or suggest allowing a device driver to be assigned control of an object in a graphical interface of a music player. Furthermore, this feature is not taught or suggested by Hanson. Hanson describes that a printer device driver may have certain graphical user interfaces of its own. However, Hanson fails to describe how an object in a graphical user interface for managing the content of portable devices be put under the control of a device driver. Furthermore, Appellant respectfully submits that this feature is not taught or suggested by Burrows. Burrows wholly fails to teach or suggest that a device driver can be assigned an object in the graphical interface of a music player.

In the Office Action, the Examiner has failed to particularly identify where a device driver be assigned a control of a object in a graphical user interface of a music player. In the rejection of Claim 39, the Examiner referred to his rejection of Claim 1 in support that this feature is described in the prior art. However, the rejection of Claim 1 failed to describe how a device driver could be provided control of an object in a graphical user interface of a music player. In Hanson, it appears that the only graphical user interfaces that are displayed by the device driver are its own, i.e., it is not assigned control of an object in a graphical user interface from an application. The section of Hanson relied upon by the Examiner describes that a graphical user interface of a printer device driver can be integrated into an application, not vice-versa. Appellant respectfully submits that Hanson fails to teach or suggest that “assigning an

²² *In re Vaeck*, 947 F.2d 488 (Fed. Cir. 1991)

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object in the graphical interface with a device driver of the portable music player device”. Katz and Burrows both fail to teach or suggest that device drivers may control graphical user interface objects.

Since the cited prior art fails to teach or suggest in isolation or in combination at least one limitation from each of the above-listed claims, Applicant respectfully submits that the above-claims are in condition for allowance.

Claims 4, 5, 10, 15, and 40-42 and 45

Since Claims 4, 5, 10, 15, 40-42, and 45 each depend on one of independent Claims 1, 6, 11, and 39, Appellant respectfully submits that these claims are allowable for at least the reasons discussed above and the subject matter of their own limitations.

Furthermore, with respect to Claim 41, it recites: “wherein the graphical user interface includes a selector for initiating transfer of at least one music item to the portable music player device.” Appellant respectfully submits that Burrows describes the operation of a portable music player. However, Burrows fails to teach or suggest the structure of an electronic device or software that may be used to transmit data to the portable music player. Claim 41 recites the use of “selector for *initiating transfer* of at least one music item *to* the portable music player.” In the Office Action, the Examiner wholly failed to particularly identify where this limitation is taught or suggested by the Burrows reference. Appellant respectfully submits that the Examiner has failed to provide a valid *prima facie* rejection with respect to this claim.


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For at least the reasons discussed above, Appellant respectfully submits that the Claims are allowable over the cited art and requests that those claims be allowed.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: 6/21/05

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X. CLAIMS APPENDIX

The claims involved in this appeal are as follows:

1. A method of providing a customized graphical interface, the method comprising:
executing a music player that displays a graphical user interface comprising information about music items and that provides a device driver interface;
executing a device driver, related to a music renderer, that indicates a change to the display of the music player's graphical user interface; and
providing via the device driver interface a control object for managing music items ; and
displaying the control object in response to an event occurring during the execution or startup of the music player.
2. Cancelled.
3. The method of Claim 1, wherein the control object is a button or selection item.
4. The method of Claim 1, wherein managing the plurality of music items comprises an act that is selected from the group comprising: playing a music item, copying a music item from a first location to a second location, and recording a music item.
5. The method of Claim 1, wherein the event comprises receiving a request to transfer or export a music item from a storage device associated with the music player to the music renderer.
6. A system for providing a customized graphical interface, the system comprising:
a music player for displaying one or more graphical interfaces that comprise information about music items, wherein the music player provides a application programming interface that enables device drivers to modify the music player's graphical user interface;
a music renderer; and
a device driver for sending music items to the music renderer, wherein the device driver displays a graphical interface including at least one control object for managing the music items, and wherein the control object is provided by the device driver via the application programming interface.
7. Cancelled.
8. The system of Claim 6, wherein the control object is a button.

9. The system of Claim 6, wherein managing the plurality of music items comprises an act that is selected from the group comprising: playing a music item, copying a music item from a first location to a second location, and recording a music item.

10. The system of Claim 6, wherein the event comprises receiving a request to transfer or export a music item from a storage device associated with the music player to a music renderer.

11. A system for providing a customized graphical interface, the system comprising:
means for executing a music player that displays a graphical interface comprising information about music items, wherein the music player provides an device driver interface that enables device drivers to control the graphical user interfaces of the music player; and

means for displaying a graphical interface and a customized control object for managing the music items, wherein the customized control object is provided by a device driver, related to a music renderer, to the means for executing via the device driver interface, and wherein the displaying of the customized graphical interface is in response to an event occurring during the execution of the music player.

12. Cancelled.

13. The system of Claim 11, wherein the control object is a button.

14. The system of Claim 11, wherein managing the plurality of music items comprises an act selected from the group comprising: playing a music item, copying a music item from a first location to a second location, and recording a music item.

15. The system of Claim 11, wherein the event comprises receiving a request to transfer or export a music item from a storage device associated with the music player to a music renderer.

16. A method of providing a customized graphical interface, the method comprising:
executing a music player that displays a graphical interface comprising information about a plurality of music items, wherein the graphical interface comprises one or more control objects that are operative to be used by a user to control the operation of a music renderer that is configured to play the music items;

naming using the music player a control object; and

receiving a request from a device driver for a the music renderer to change a name for the control object.

17. A system for providing a customized graphical interface, the system comprising:
a music player displaying a graphical interface comprising information about a plurality of music items, wherein the graphical interface comprises one or more control objects that are adapted to be used by a user to control the operation of a music renderer that is configured to play the music items, the music player adapted to receive requests from a device driver related to a the music renderer to rename the control objects that have been named by the music player.

18. Cancelled.

19. Cancelled.

20. Cancelled.

21. The method of Claim 1, wherein the music player is a program executing on a computer.

22. The method of Claim 1, wherein the music renderer is a portable MP3 music player device.

23. The method of Claim 1, wherein the music renderer is a device for burning optical diskettes.

24. The system of Claim 6, wherein the music player is a program executing on a computer.

25. The system of Claim 6, wherein the music renderer is a portable music player device.

26. The system of Claim 6, wherein the music renderer is a device for burning optical diskettes.

27. The system of Claim 11, wherein the music player is a program executing on computer.

28. The system of Claim 11, wherein the music renderer is a portable music player.

29. The system of Claim 11, wherein the music renderer is a device for burning optical diskettes.

30. The system of Claim 16, wherein the music player is a program executing on computer.

31. The system of Claim 17, wherein the device driver controls a portable music player.

32. The system of Claim 17, wherein the device driver controls a device for burning optical diskettes.

33. Cancelled.

34. Cancelled.

35. A program storage device storing instructions that when executed performs the steps comprising:

executing a music player that displays a graphical user interface comprising information about music items;

providing with the music player a device driver interface that enables device drivers to modify the graphical user interfaces of the music player; and

displaying a graphical interface including at least one control object for managing the music items, wherein the control object is provided via the device driver interface by a device driver related to a music renderer.

36. The method of Claim 26, wherein the control object is a button or a switch.

37. The method of Claim 26, wherein the music player is a program executing on computer.

38. The method of Claim 26, wherein the music renderer is a portable music player device.

39. A method of providing a customized graphical interface, the method comprising:
executing a music player that is executing in a computer and that displays a graphical interface comprising information about music items;

displaying, in response to a user request for transferring a music item from the computer to a portable music player device, a graphical interface for managing the content of the portable music player device; and

assigning an object in the graphical interface with a device driver of the portable music player device.

40. The method of Claim 39, additionally comprising, wherein the graphical user interface includes an import window to identify a file on the computer.

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41. The method of Claim 39 , wherein the graphical user interface includes a selector for initiating transfer of at least one music item to the portable music player device.

42. The method of Claim 39, additionally comprising transferring a music file from the computer to the portable music player device.

43. Cancelled.

44. Cancelled.

45. The method of Claim 39 , wherein the graphical user interface includes a selector for initiating playback of at least one music item that is stored in the portable music player device.

46. A method of providing a customized graphical interface, the method comprising:
executing an application for playing music, the application displaying a graphical interface comprising information about music items;

providing a device driver interface that allows device drivers to modify the graphical user interfaces of the music player; and

receiving, in the application, a request from a device driver to modify one of graphical user interfaces; and

displaying the modified graphical user interface.

47. The method of Claim 46, wherein the device driver controls a portable music player.

48. The method of Claim 46, wherein the device driver controls a compact diskette burner.

49. The method of Claim 6, wherein the application programming interface is a device driver interface.

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XI. EVIDENCE APPENDIX

No evidence has been submitted pursuant to §§ 1.130, 1.131, or 1.132, nor has any other evidence been submitted by the Examiner which has been relied upon by either the Examiner or the Appellant with respect to the grounds of rejection on appeal.

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XII. RELATED PROCEEDINGS APPENDIX

As noted above in Section IV, None of the Appellant, Appellant's legal representative, or assignee is aware of any appeal or interference which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

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